

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

UNITED STATES OF AMERICA)
) CRIMINAL ACTION NO.
vs.) 1:18-CR-00309-LMM-LTW-1
)
CHALMER DETLING, II)
)

DEFENDANT'S PROPOSED VOIR DIRE

Defendant, CHALMER DETLING, II, by and through undersigned counsel, pursuant to Rule 24(a) of the Federal Rules of Criminal Procedure, and requests that counsel for the defense be permitted to propound the following voir dire questions:

- (1) Do you try to follow major criminal trials? If yes, which criminal trials have you followed in the past, or do you follow now?
- (2) Do you ever follow news stories about the criminal justice system?
- (3) Have you ever:
 - (a) Spent time in jail/prison?
 - (b) Been tried for a crime, but not convicted?
 - (c) Been positively or negatively treated by police?
 - (d) Had your driver's license suspended?
 - (e) Been injured during a criminal act?
 - (f) Had your home broken into?

- (g) Had your personal identification information taken or used?
- (h) Visited a jail or prison?
- (i) Have you ever been sued or sued someone?
- (j) Testified as a witness in an official proceeding?
- (k) Observed any court proceeding (other than as a juror or witness)?
- (l) Have you ever retained or hired a personal injury attorney?
- (m) Filed a police report?

If yes to any of the above, please explain.

(4) After hearing the summary of the indictment, do the facts and circumstances that Judge May described remind you of any significant life experience that you have had? What and how?

(5) Do any of you know any of the other jurors who may be chosen to serve in this case?

(6) If a considerable number of jurors were voting differently than you, would you change your verdict for that reason alone?

(7) Have you or someone close to you ever worked at a law firm? Please describe your experience.

(8) Have you or someone close to you ever worked as a bookkeeper or accountant?

Please describe your experience.

(9) Have you or someone close to you ever worked in an industry that loaned or advanced money?

Please describe your experience.

(10) Have you ever received a monetary advance?

If so, what type and what was your experience.

(11) Have you ever lost money where you thought that the loss was caused by someone else's wrongdoing, fraud, or dishonesty?

(12) Have you ever been tricked or cheated by someone?

(13) Have you ever had your name forged on a document?

(14) Have you ever had a close friend or family member ever exploit your relationship for their own personal gain at your expense?

(15) Do you have people in your life for whom you would do whatever they ask because you have known and trusted them for a long time?

(16) Mr. Detling is charged with wire fraud and aggravated identity theft.

Do these charges make you think he must be guilty?

(17) In a case involving these kinds of charges, would you require Mr. Detling to prove that he is not guilty? If he does not testify, will you think he is guilty?

(18) During the time period in the indictment, Mr. Detling was practicing civil law. Would you place a greater burden on him to know the law in a criminal case?

(19) Do you have any family members who are attorneys? If so, what is his or her specialty? Has she or he ever practiced criminal law?

(20) Do you believe the law should hold attorneys to a higher standard than the average person? If so, why?

(21) Have you or anyone close to you ever worked in a law office? If so, when? How long? What type of legal matters did this office usually handle?

(22) Have you or anyone close to you ever worked for the Federal Bureau of Investigation, United States Marshal Service, a county sheriff's department, or any other local, state, federal, or military law enforcement agency? If so, where? How long? In what capacity?

(23) Have you ever worked for any district attorney's office, solicitor's office, or any prosecuting agency of the federal or state government in military or civilian life? If so, where? How long? In what capacity?

(24) Have you ever considered working for any law enforcement agency? If so, what kind of work were you considering? What steps did you take to pursue this line of work?

(25) If a law enforcement officer or government agent were to testify in this case, would any of you be inclined to think that his or her testimony was more believable than that of any other witness just because of the fact that he or she is a law enforcement officer?

(26) Have you ever been falsely accused of something? If yes, please tell us about that.

(27) Have you ever been a witness to a crime? If so, do you think there was anything about that experience which would affect your ability to fairly and impartially evaluate this case?

(28) Have you changed your habits or behavior because of crime generally? If so, what types of changes have you made?

(29) Have you, or anyone close to you, ever participated in any group concerned with crime prevention or victims' rights? What group was it? What did that participation involve?

(30) Have you ever participated in any efforts to either increase or lessen the punishment of individuals who are convicted of criminal offenses?

(31) If you are selected as a juror on this case, you must have the ability to make your own independent decision about the defendant's guilt or innocence. Is there anyone who feels they could not do this?

(32) If you were my client, would you be completely comfortable having you as a juror on this case?

(33) After everything you have heard so far, is there anyone here who would feel uncomfortable about serving on this jury?

(34) I expect that you will hear testimony that certain witnesses have an interest in the events at the law firm where Mr. Detling worked and may have been subject to investigation or prosecution.

(a) Do you believe that these witnesses may be less believable because they have a personal interest in testifying for the government? Why?

(b) Do you have a strong belief -- one way or another -- about prosecutors presenting testimony of individuals who might have been involved in a given crime but escaped charges by implicitly others? Why?

(35) The Court is implementing procedures to encourage social distancing and minimize exposure to COVID-19 in the Courtroom setting. Even with these precautions, do you have ANY concerns related to COVID-19 that would affect your ability to pay attention and fully concentrate on the evidence in this case? If yes, please explain.

(36) Do you believe that you would be more likely to contract COVID-19 by appearing at court?

- (37) Do you have any opposition to wearing a face mask during trial?
- (38) If you were compelled to come into the courthouse or sit on the jury, how afraid would you be on a scale of 1-10 (1 being no fear and 10 being extreme fear) that you would expose other people in your household to COVID-19?
- (39) Would you feel pressure to reach a verdict quickly to avoid exposure to COVID-19?
- (40) Have you been vaccinated for COVID-19? Are you concerned with participating in a trial without knowing whether your fellow jurors have been vaccinated?
- (41) Do you have any other concerns related to COVID-19 that you would like to share with the Court?
- (42) Is there anything you would prefer to discuss in private?
- (43) Is there anything we have not asked you that you think we should know?

Dated: This 17th day of August, 2021.

Respectfully Submitted,

/s/ Suzanne Hashimi
Suzanne Hashimi
Georgia Bar No. 335616

/s/ Caitlyn Wade
Caitlyn Wade
Georgia Bar No. 259114

Attorneys for Chalmer Detling, II